8-24-04





IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of:

De Sloovere, Xavier et al.

Serial No.: 10/613,956

Filed: July 3, 2003

COMPOSITION FOR

COMBATING/REPELLING INSECTS,

BIRDS, DIRTS AND PARASITES

Docket No. 33154-CIP1

Mail Stop Amendment Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Sir:

INFORMATION DISCLOSURE STATEMENT

The attached references are being filed to fulfill the duty of candor and good faith toward the Patent and Trademark Office, as required by 37 C.F.R. §1.56. The references were first cited in a communication from a foreign patent office (in this case, an International Search Report issued by the European Patent Office for the companion PCT/BE2003/000160 filed claiming priority from the present application issued June 2, 2004) not more than three months prior to the filing of the Information Disclosure Statement, and thus pursuant to Rule 1.97(e), no additional fee is due in connection herewith.

Applicants note that two of the cited references are in a foreign language. Pursuant to Rule 1.98(a)(3), applicants provide the following concise statements as to the relevance of DE 198 19 856A1 and EP 367 934, both published in German.

DE 198 19 856 relates to an insecticidal agent comprising a hydrophobe silicon dioxide as an active agent, an attracting agent, possibly additives, a hydrophobe solvent, and water.

EP 367 934 relates to an insecticide comprising pyrogen hydrophobe silicon dioxide, said insecticide being a water dispersion or a powder. No reference is made in this reference to structure modified hydrophobe silicon dioxide. A copy of U.S. Patent No. 5,122,518 of the same patent family is also submitted herewith.

Any additional fee due in connection with this should be applied against our Deposit Account No. 19-0522.

Respectfully submitted,

HOVEY WILLIAMS LLP

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Kansas City, Missouri 64108

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Attorney Docket No. 33154-CIP1

NSMI		Docket No. 33154-CIP1					
		. AUG 2 3 2004					
Serial No. Filing Date Examiner Group Art Unit 10/613,956							
Title: COMPOSITION FOR COMBATING INSECTS AND PARASITES							
		Assistant Com	missioner for Patents				
		37 CF	FR 1.97(b)				
1. The Information Disclosure Statement submitted herewith is being filed within three months of the filing of a national application; within three months of the date of entry of the national stage as set forth in 37 CFR 1.491 in an international application; or before the mailing date of a first Office Action on the merits, whichever event occurs last.							
		37 CF	FR 1.97(c)				
2. The Information Disclosure Statement submitted herewith is being filed after three months of the filing of a national application, or the date of entry of the national stage as set forth in 37 CFR 1.491 in an international application; or after the mailing date of a first Office Action on the merits, whichever occurred last but before the mailing date of either:							
	1.	a Final Action under 37 CFR 1.1	13, or				
	2.	a Notice of Allowance under 37 C	CFR 1.311,				
whichever occurs first.							
Also submitted herewith is:							
☐ a certification as specified in 37 CFR 1.97(e);							
		OR					
			submission of an Information	Disclosure Statement			
	Application of the last of the last occurrence of the last occurrence occurre	Application Of: overe, Xavier, et al Serial No. 10/613,956 OSITION FOR Co The Information of a national app CFR 1.491 in a merits, whicheve The Information of a national app international app international app occurred last but 1. 2. whicheve Also submitted h □ a certificate □ the fee se	Application Of: Overe, Xavier, et al. All6 2 3 2004 Serial No. 10/613,956 POSITION FOR COMBATING INSECTS AND PAIR Assistant Commendation Disclosure Statement submitted of a national application; within three months of the CFR 1.491 in an international application; or be merits, whichever event occurs last. 37 CI The Information Disclosure Statement submitted of a national application; or the date of entry of international application; or after the mailing docurred last but before the mailing date of either 1. a Final Action under 37 CFR 1.11 2. a Notice of Allowance under 37 CW whichever occurs first. Also submitted herewith is: a certification as specified in 37 CFR 1.97(OR	Serial No. Filto Date Examiner 10/613,956 OSITION FOR COMBATING INSECTS AND PARASITES Address to: Assistant Commissioner for Patents Washington, D.C. 20231 37 CFR 1.97(b) The Information Disclosure Statement submitted herewith is being filed within of a national application; within three months of the date of entry of the national CFR 1.491 in an international application; or before the mailing date of a merits, whichever event occurs last. 37 CFR 1.97(c) The Information Disclosure Statement submitted herewith is being filed after of a national application, or the date of entry of the national stage as set for international application; or after the mailing date of a first Office Action occurred last but before the mailing date of either: 1. a Final Action under 37 CFR 1.113, or 2. a Notice of Allowance under 37 CFR 1.311, whichever occurs first. Also submitted herewith is: a certification as specified in 37 CFR 1.97(e); OR			

TRANSMITTAL OF INFORMATION DISCLOS (Under 37 CFR 1.97(b) or 1.97	Docket No. 33154-CIP1					
In Re Application Of: De Sloovere, Xavier, et al. Aug. 2 3 2004						
Serial No. Filing Date Examiner Group Art Un						
Title: COMPOSITION FOR COMBATING INSECTS AND PAR	RASITES					
(Only complete if Applicant elects t A check in the amount of is atta	ached.					
 ☑ The Assistant Commissioner is hereby authorized as described below. A duplicate copy of this sheet ☐ Charge the amount of ☑ Credit any overpayment. ☑ Charge any additional fee required. 	to charge and credit Deposit	Account No. 190522				
Certificate of Transmission by Facsimile*	Certificate of Maili	ing by First Class Mail				
I certify that this document and authorization to charge deposit account is being facsimile transmitted to the United States Patent and Trademark Office (Fax. No.	on first class mail under 37 C.F	ent and fee is being deposited with the U.S. Postal Service as F.R. 1.8 and is addressed to the or Patents, Washington, D.C.				
Signature	Signature of Person	Mailing Correspondence				
Typed or Printed Name of Person Signing Certificate	Typed or Printed Name of F	Person Mailing Correspondence				
*This certificate may only be used if paying by deposit account. Dated: AUG 23, 2004 Signature Dated: AUG 23, 2004 Signature Dated: AUG 23, 2004 Dated: AUG 24, 200						
cc:						

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of:)	Examiner:
De SLOOVERE, Xavier, et al.)	Group Art Unit:
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Serial No.:10/613,956)	
)	
Filed: July 3, 2003)	
)	
Title: COMPOSITION FOR COMBATING)	
INSECTS AND PARASITES)	

TRANSMITTAL

Transmitted herewith is/are: <u>Transmittal of Information Disclosure Statement (2 pgs)</u>; Information Disclosure Statement (Form PTO-1449) (1 pg); ONE (1) U.S. Patent, SIX (6) Foreign Patents, and ONE (1) Copy of Publication No. WO 2004/028250 with International Search Report attached as references (140 pgs); and return postcard. This/These document(s) is/are being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 in an envelope addressed to: Mail Stop AMENDMENT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on August 23, 2004.

EV 3437646**89** US

Respectfully submitted,

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by

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ATTORNEYS FOR APPLICANT

(Docket No. 33154-CIP1)

O1PE AUG 2 3 2004

FORM PTO 1449 (R&C 2:32) U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE

ATTY. DOCKET NO. 33154-CIP1

SERIAL NO. 10/613,956

INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(Use several sheets if necessary)

APPLICANT: DE SLOOVERE, Xavier, et al.

FILING DATE: July 3, 2003 GROUP:

U.S. PATENT DOCUMENTS

EXAM. INITIAL	DOCUMENT NUMBER	DATE NAME		CLASS	SUBCLASS	FILING DATE IF APPROPRIATE	
	5,122,518	06/16/1992	Vrba				
		-					

FOREIGN PATENT DOCUMENTS

DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION	
					YES	NO
1,133,210	11/13/1968	GB				
DE 198 19 856 A1	5/4/1998	DE				×
EP 0 367 934	09/04/1989	EPO				×
WO 01/35744 A1	05/25/2001	PCT				
WO 02/061027 A1	09/08/2002	PCT				
 WO 94/09626	05/11/1994	РСТ				

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)

	p. 1 of Publication WO 2004/028250 A3 corresponding to PCT BE 2003/000160 with International Search Report Attached

EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.